



Joseph A. Boyle

Kelley Drye & Warren LLP
3 World Trade Center
175 Greenwich Street
New York, NY 10007

Tel: (973) 503-5920
Fax: (973) 503-5950
jboyle@kelleydrye.com

October 25, 2024

By eFile

Hon. Ronnie Abrams
United States District Judge
U.S. District Court for the Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Venture Group Enterprises, Inc. v. Vonage Business Inc.*, No. 1:20-cv-04095-RA-OTW

Dear Judge Abrams:

We write to the Court to provide an update regarding the parties' discussions subsequent to Your Honor's October 16, 2024 Order (ECF No. 347), scheduling an in-person status conference on October 30, 2024 and to discuss the outstanding matters before Your Honor and Magistrate Judge Stein. As a preliminary matter, Vonage has a conflict on October 30th, and therefore, the parties respectfully request that the Court adjourn said conference. The parties are available during the weeks of November 4 and 11, 2024, except for November 4, 8, 11 and 12.

Venture intends to file a motion pursuant to N.Y. C.P.L.R. 3220 and the Parties have stipulated and agreed to the following briefing schedule: 1) Venture's moving brief filed on or before November 22, 2024; 2) Vonage's responsive brief filed on or before December 20, 2024; and 3) Venture's reply brief filed on or before January 20, 2025. As directed by the Court, the Parties will meet-and-confer in advance of the status conference to discuss the outstanding matters, including Vonage's pending motions for costs, which have been fully briefed, and possible Rule 59 motions.

Thank you in advance for Your Honor's attention to this matter.

Hon. Ronnie Abrams
October 25, 2024


Respectfully submitted,

By: /s/ David J. Fioccola
PROSKAUER ROSE LLP
Grant J. Esposito
David J. Fioccola
Eleven Times Square
New York, NY 10036
Telephone: (212) 969-3000
Facsimile: (212) 969-2900
Email: gesposito@proskauer.com
dfioccola@proskauer.com

By: /s/ Joseph A. Boyle
KELLEY DRYE & WARREN LLP
Joseph A. Boyle
Vincent P. Rao II
3 World Trade Center
175 Greenwich Street
New York, NY 10007
Telephone: (212) 808-7800
Facsimile: (212) 808-7897
Email: jboyle@kelleydrye.com
vr Rao@kelleydrye.com

Application granted. The conference on October 30, 2024 is hereby adjourned to November 7, 2024 at 2:30 p.m. The conference will take place at the Thurgood Marshall Courthouse, 40 Foley Square, Courtroom 1506, New York, NY 10007. No later than November 4, 2024, the parties shall submit a joint letter summarizing all outstanding matters before the Court. The Court adopts the parties' proposed briefing schedule.

SO ORDERED.


Hon. Ronnie Abrams
October 25, 2024